



General Assembly

February Session, 2012

***Raised Bill No. 5505***

LCO No. 2211

\*02211\_\_\_\_JUD\*

Referred to Committee on Judiciary

Introduced by:  
(JUD)

***AN ACT CONCERNING INDECENT EXPOSURE TO PERSONS UNDER  
THE AGE OF SIXTEEN.***

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1 Section 1. Section 53a-186 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2012*):

3 (a) A person is guilty of public indecency in the second degree  
4 when [he] such person performs any of the following acts in a public  
5 place: (1) An act of sexual intercourse as defined in subdivision (2) of  
6 section 53a-65; or (2) a lewd exposure of the body with intent to arouse  
7 or to satisfy the sexual desire of the person; or (3) a lewd fondling or  
8 caress of the body of another person. For the purposes of this section,  
9 "public place" means any place where the conduct may reasonably be  
10 expected to be viewed by others.

11 (b) Public indecency in the second degree is a class B misdemeanor.

12 Sec. 2. (NEW) (*Effective October 1, 2012*) (a) A person is guilty of  
13 public indecency in the first degree when such person commits public  
14 indecency in the second degree as provided in section 53a-186 of the

15 general statutes, as amended by this act, knowing that such conduct  
16 will be viewed by a person under sixteen years of age.

17 (b) Public indecency in the first degree is a class D felony.

18 Sec. 3. Subdivision (2) of section 54-250 of the general statutes is  
19 repealed and the following is substituted in lieu thereof (*Effective*  
20 *October 1, 2012*):

21 (2) "Criminal offense against a victim who is a minor" means (A) a  
22 violation of subdivision (2) of section 53-21 of the general statutes in  
23 effect prior to October 1, 2000, subdivision (2) of subsection (a) of  
24 section 53-21, subdivision (2) of subsection (a) of section 53a-70,  
25 subdivision (1), (4), (8) or (10) or subparagraph (B) of subdivision (9) of  
26 subsection (a) of section 53a-71, subdivision (2) of subsection (a) of  
27 section 53a-72a, subdivision (2) of subsection (a) of section 53a-86,  
28 subdivision (2) of subsection (a) of section 53a-87, section 53a-90a,  
29 section 2 of this act, 53a-196a, 53a-196b, 53a-196c, 53a-196d, 53a-196e or  
30 53a-196f, (B) a violation of subparagraph (A) of subdivision (9) of  
31 subsection (a) of section 53a-71 or section 53a-92, 53a-92a, 53a-94,  
32 53a-94a, 53a-95, 53a-96 or 53a-186, as amended by this act, provided  
33 the court makes a finding that, at the time of the offense, the victim  
34 was under eighteen years of age, (C) a violation of any of the offenses  
35 specified in subparagraph (A) or (B) of this subdivision for which a  
36 person is criminally liable under section 53a-8, 53a-48 or 53a-49, or (D)  
37 a violation of any predecessor statute to any offense specified in  
38 subparagraph (A), (B) or (C) of this subdivision the essential elements  
39 of which are substantially the same as said offense.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2012</i>	53a-186
Sec. 2	<i>October 1, 2012</i>	New section
Sec. 3	<i>October 1, 2012</i>	54-250(2)

***Statement of Purpose:***

To establish that public indecency committed knowing that such conduct will be viewed by a person under sixteen years of age shall constitute a class D felony, and require those convicted of the offense to register with the Commissioner of Emergency Services and Public Protection as a sexual offender in the manner provided for those convicted of a criminal offense against a victim who is a minor.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*